

REMARKS

Status of Claims

Claims 33-45 are pending, of which claims 33, 36, 38 and 41 are independent.

Claims 43-45 have been added. Support for the new claims is found, for example, at paragraphs [0061]-[0063] of the specification. Care has been taken to avoid introducing new matter.

Rejection under 35 U.S.C. § 102

Claims 33-42 were rejected under 35 U.S.C. § 102(b) as being anticipated by Glenn et al. (US 6,266,197). This rejection is traversed for at least the following reasons.

Regarding claim 33, Applicants respectfully submit that, at a minimum, Glenn fails to disclose the claimed skirt portion **positioned on the periphery area of the main surface** of the light-receiving chip. The Examiner asserts that molded part 124 of Glenn corresponds to the claimed skirt portion. However, the alleged molded part 124 is not positioned on the periphery area of the main surface of the alleged light-receiving chip 106. It should be noted that the claimed main surface is a main surface of the light-receiving chip (see, “the main surface being made up of a light-receiving area on which the light-receiving cells are arranged and a periphery area surrounding the light-receiving area” of claim 33), and the surface of substrate 102 of Glenn is apparently different from the main surface of the alleged light-receiving chip 106. The surface of substrate 102 of Glenn is not made up of a light-receiving area on which the light-receiving cells are arranged. Thus, the alleged light-receiving chip 106 and the substrate 102 are different elements and should be clearly distinguished. As such, it is clear that, at a minimum, Glenn fails

to disclose the skirt portion as recited by claim 33. Accordingly, claim 33 and all claims dependent thereon are patentable over Glenn.

Regarding claim 36, Applicants respectfully submit that, at a minimum, Glenn fails to disclose the claimed **rib portion of the light-receiving chip**. The Examiner asserts that optical lid 120 of Glenn corresponds to the claimed rib portion. However, the alleged optical lid 120 is not a part of the alleged light-receiving chip 106. In contrast, in claim 35, **the light-receiving chip has**, on the periphery area of the main surface (on which light-receiving cells are arranged), **a rib portion** having a loop shape, and the rib portion is attached onto a periphery of the transparent protection plate. In Glenn, there is no such rib portion disposed between the periphery area of the main surface of the alleged light receiving chip 106 and the alleged transparent protection plate 120. As such, it is clear that, at a minimum, Glenn fails to disclose the rib portion as recited by claim 36. Accordingly, claim 36 and all claims dependent thereon are patentable over Glenn.

Regarding claim 38, Applicants respectfully submit that, at a minimum, Glenn fails to disclose the claimed plurality of holes **provided through the transparent protection plate**. The Examiner asserts that vias 251A of Glenn correspond to the claimed plurality of holes. However, the alleged holes 251A are not provided through the alleged transparent protection plate 120, but are provided through substrate 102. In contrast, in claim 38, a plurality of holes are **provided through the transparent protection plate**. In Glenn, there is no such hole provided through the alleged transparent protection plate 120. As such, it is clear that, at a minimum, Glenn fails to disclose the plurality of holes as recited by claim 38. Accordingly, claim 38 and all claims dependent thereon are patentable over Glenn.

Regarding claim 41, Applicants respectfully submit that, at a minimum, Glenn fails to disclose the claimed plurality of conductive foils **attached to the main surface, a corresponding side surface, and the other main surface of the transparent protection plate.**

The Examiner asserts that vias 251A of Glenn correspond to the claimed plurality of conductive foils. However, the alleged conductive foils 251A are not provided on the alleged transparent protection plate 120, but are provided on and in substrate 102. In contrast, in claim 41, a plurality of conductive foils are **attached to the main surface, a corresponding side surface, and the other main surface of the transparent protection plate.** In Glenn, there is no such foil attached on the surfaces of the alleged transparent protection plate 120. As such, it is clear that, at a minimum, Glenn fails to disclose the plurality of conductive foils as recited by claim 41. Accordingly, claim 41 is patentable over Glenn.

Based on the foregoing, Applicants respectfully request that the Examiner withdraw the rejection of claims 33-42 under 35 U.S.C. § 102(b).

New Claims

Since claims 43-45 depend upon claim 33, these claims are patentable over Glenn for at least the same reasons as claim 33. Further, since Glenn fails to disclose the features of claims 43-45, these claims are also patentable on their own merits.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty
Registration No. 36,139

**Please recognize our Customer No. 53080
as our correspondence address.**

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 MEF:TS
Facsimile: 202.756.8087
Date: December 28, 2009